

Beth Wilkinson (*pro hac vice*)
Rakesh N. Kilaru (*pro hac vice*)
Kieran Gostin (*pro hac vice*)
Grace Hill (*pro hac vice*)
Anastasia M. Pastan (*pro hac vice*)
Sarah E. Neuman (*pro hac vice*)
WILKINSON STEKLOFF LLP
2001 M Street, N.W., 10th Floor
Washington, D.C. 20036
Telephone: (202) 847-4000
Facsimile: (202) 847-4005
bwilkinson@wilkinsonstekloff.com
rkilaru@wilkinsonstekloff.com
kgostin@wilkinsonstekloff.com
ghill@wilkinsonstekloff.com
apastan@wilkinsonstekloff.com
sneuman@wilkinsonstekloff.com

Bambo Obaro (Bar No. 267683)
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3083
Facsimile: (650) 802-3100
bambo.obaro@weil.com

Counsel for Microsoft Corporation

[Additional Counsel Identified on Signature Page]

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FEDERAL TRADE COMMISSION

Plaintiff,

v.

MICROSOFT CORPORATION and
ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-02880-JSC

**DECLARATION OF BETH WILKINSON
IN SUPPORT OF DEFENDANTS'
MEMORANDUM OF LAW IN
OPPOSITION TO MOTION FOR
PRELIMINARY INJUNCTION**

Hon. Jacqueline Scott Corley

Date: June 22, 2023

Time: 8:30 a.m.

Courtroom: 8 – 19th Floor

I, Beth Wilkinson, declare as follows:

1. I am counsel of record for Microsoft Corporation in this action. I have personal knowledge of the facts stated in this Declaration and, if called as a witness, I could and would testify competently to these facts under oath.

2. Attached as exhibits to this Declaration are true and correct copies of each of the following documents:

Exhibit	Description
1	[REDACTED]
2	[REDACTED]
3	Expert Report of Dr. Elizabeth M Bailey
5	Ben Gilbert, <i>Epic Games, Maker of 'Fortnite,' Saw Its Value Rise By \$17 Billion In Just 8 Years — A More Than Twentyfold Increase</i> , Bus. Insider (July 13, 2020), https://bit.ly/4693arC
6	Aisha Malik, <i>Epic Raises \$2B at a Nearly \$32B Valuation to Build its Kid-Friendly Metaverse</i> , TechCrunch (April 11, 2022), https://tcrn.ch/463E9xP
7	[REDACTED]
8	[REDACTED]
9	[REDACTED]
10	[REDACTED]
11	[REDACTED]
12	Sony Corporate Report (2022)
13	[REDACTED]
14	[REDACTED]
15	[REDACTED]
16	<i>Sony Chief Warns Technical Problems Persist For Cloud Gaming</i> , Financial Times (6/3/2023)
17	[REDACTED]
18	[REDACTED]
19	[REDACTED]
20	[REDACTED]
21	[REDACTED]
22	[REDACTED]
23	[REDACTED]
24	[REDACTED]
25	[REDACTED]
26	[REDACTED]
28	[REDACTED]
29	[REDACTED]
30	[REDACTED]

1	32	[REDACTED]
2	34	[REDACTED]
3	35	Activision Press Release, <i>Activision Blizzard Completes King Acquisition Becomes the Largest Game Network in the World with over 500 Million Users</i> (Feb. 23, 2016), https://tinyurl.com/ybxussu5
4	36	Microsoft Press Release, <i>Microsoft to Acquire Activision Blizzard to Bring the Joy and Community of Gaming to Everyone, Across Every Device</i> (Jan. 18, 2022), https://bit.ly/3XejTh
5		
6	37	[REDACTED]
7	38	[REDACTED]
8	39	[REDACTED]
9	40	[REDACTED]
10	41	[REDACTED]
11	42	[REDACTED]
12	43	[REDACTED]
13	44	[REDACTED]
14	45	EC Press Release, <i>Mergers: Commission Clears Acquisition Of Activision Blizzard By Microsoft, Subject To Conditions</i> , European Commission (May 15, 2023), https://tinyurl.com/y5s3b2hc
15	46	[REDACTED]
16	47	[REDACTED]
17	48	Expert Report of Dr. Robin Lee
18	49	Kevin Webb, <i>PS5 vs. PS5 Digital Edition: Which PlayStation 5 is the Best Choice in 2023?</i> , Insider (May 12, 2023), https://bit.ly/3J0tD0l
19	50	Ian Evenden, <i>PS5 Pro and Slim: Everything We've Heard About Sony's Future Console Upgrades</i> , Stuff (June 15, 2023), https://bit.ly/43HbYU5
20	51	Stephen Totilo, <i>Nintendo's Legend of Zelda: Tears of the Kingdom Sells 10 Million Copies in 3 Days</i> , Axios (May 17, 2023), https://bit.ly/3MJklHn
21	53	[REDACTED]
22	54	[REDACTED]
23	55	[REDACTED]
24	56	Rhiannon Bevan, <i>PlayStation Boss Says Cloud Gaming Has Too Many Technical Difficulties</i> , The Gamer (June 4, 2023), https://bit.ly/43D5pBA
25	57	[REDACTED]
26	58	Expert Report of Dr. Dennis W. Carlton
27	59	Microsoft Press Release, <i>Minecraft to join Microsoft</i> (Sept. 15, 2014), https://tinyurl.com/4v4ms3w3
28	60	[REDACTED]
	61	Microsoft Didn't Mislead EU over Zenimax Deal, Watchdog Says in Response to Us Concerns, MLex (Dec. 9, 2022), https://tinyurl.com/335rpbxr
	62	Sony Press Release: Bungie Acquisition (Feb. 1, 2022), https://tinyurl.com/m7r8aku9
	63	Rebuttal Report of Dr. Robin Lee
	64	Michael Kan, <i>Nvidia Rebuts UK, Says Microsoft-Activision Deal Good for Cloud Gaming</i> , PCMag.com (Apr. 28, 2023), https://bit.ly/3PnUqro

65	Kana Inagaki & Leo Lewis, <i>Sony Chief Warns Technical Problems Persist for Cloud Gaming</i> , Fin. Times (June 3, 2023)
66	Joshua Fineman, <i>Sony CEO Downplays Risk of Cloud Gaming on Console Market, Seeking Alpha</i> (June 4, 2023), https://bit.ly/3Nx7ik
67	<i>Sony Will Keep Acquiring Game Studios To Sustain "Virtuous Cycle" Of Success</i> , Game Developer (April 4, 2022), https://tinyurl.com/3jezsdm
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I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 16, 2023

By. /s/ Beth Wilkinson
 Beth Wilkinson (*pro hac vice*)
 WILKINSON STEKLOFF LLP
 2001 M Street NW, 10th Floor
 Washington, DC 20036
 Telephone: (202) 847-4000
 Facsimile: (202) 847-4005
 bwilkinson@wilkinsonstekloff.com

Counsel for Defendant Microsoft Corp.